

MEMORANDUM

JULY 5, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN, DIRECTOR

SUBJECT: CONFIRMATORY ORDER OF TAKING, PARCEL E-8
DS PARKING TRUST
DOWNTOWN-WATERFRONT-FANEUIL HALL URBAN RENEWAL AREA
PROJECT NO. MASS. R-77

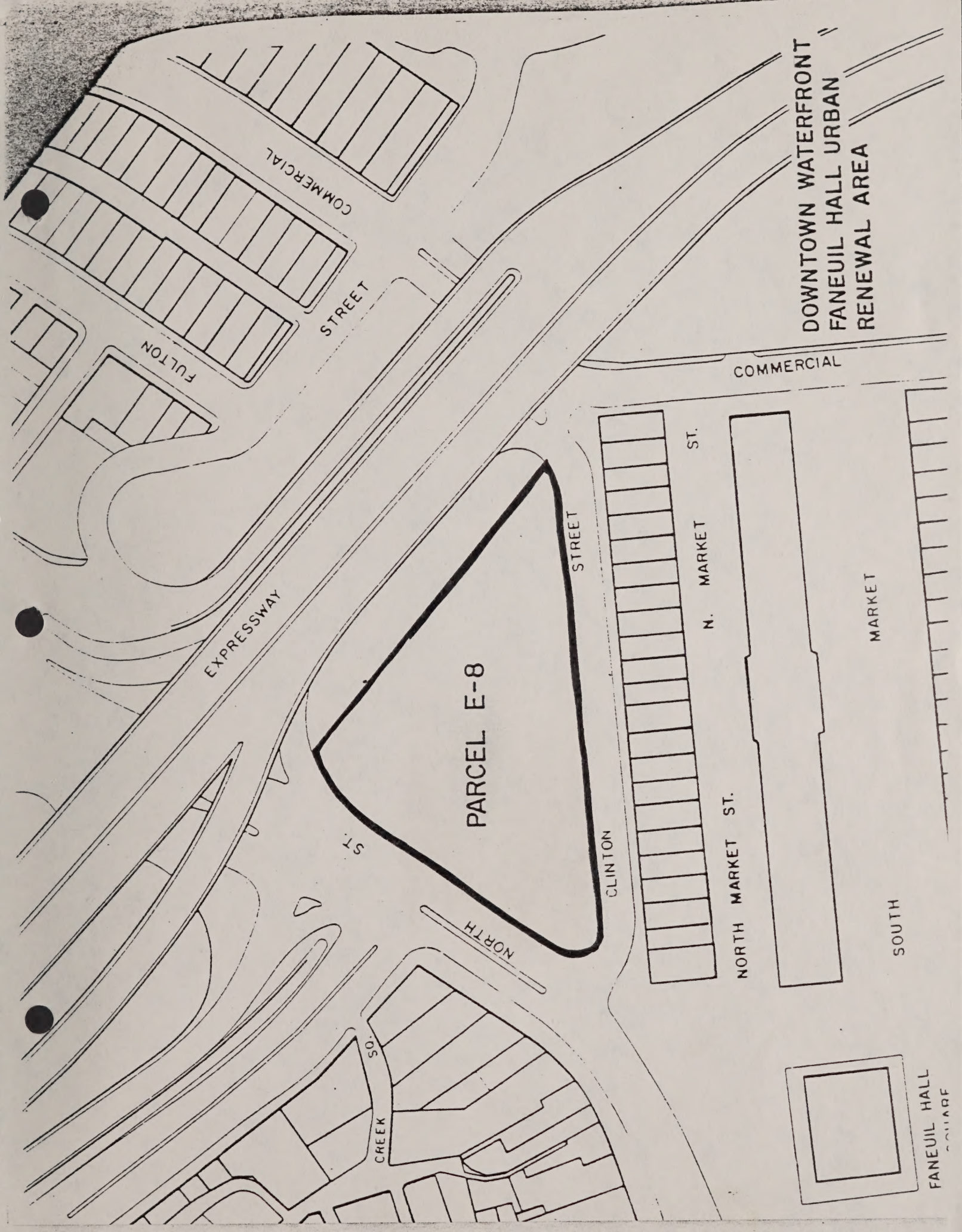
On April 14, 1977, the Authority voted to tentatively designate Dock Square Parking Associates, Inc. as Redeveloper of Disposition Parcel E-8, at the corner of North and Clinton Streets. On June 20, 1979, DSPA, Inc, requested the approval of the Authority to transfer its interests to James F. Sullivan as Trustee of DS Parking Trust.

In light of the numerous changes in use that the assembled parcel has undergone and in order to perfect the title, it is recommended that the Authority adopt a Confirmatory Order of Taking on Parcel E-8.

An appropriate Vote follows:

VOTED: That the Authority adopt a
Confirmatory Order of Taking of
Parcel E-8, at the corner of
North and Clinton Streets, in the
Downtown-Waterfront-Faneuil Hall
Urban Renewal Area; Project No. Mass. R-77

DOWNTOWN WATERFRONT
FANEUIL HALL URBAN
RENEWAL AREA



COMMERCIAL

STREET

FULTON

EXPRESSWAY

PARCEL E-8

ST.

STREET

CLINTON

COMMERCIAL

ST.

N. MARKET

NORTH MARKET ST.

MARKET

SOUTH

FANEUIL HALL
SQUARE

CREEK

NORTH

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the BOSTON REDEVELOPMENT AUTHORITY, in accordance with G. L., c. 121B and its predecessor statute G. L., c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 7929, Page 440, an Order of Taking dated February 4, 1965, concerning and describing the Downtown-Waterfront-Faneuil Hall Urban Renewal Area, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G. L., c. 79, §40.

NOW THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in "Annex A", together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said

property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

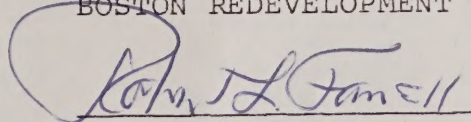
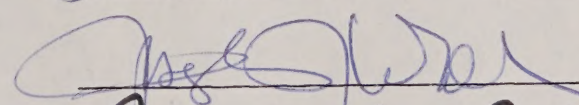
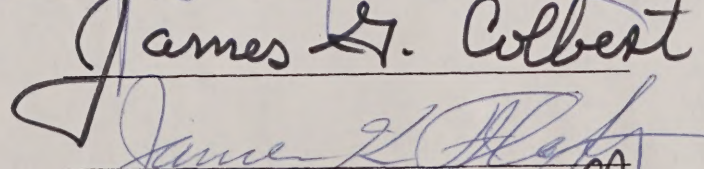
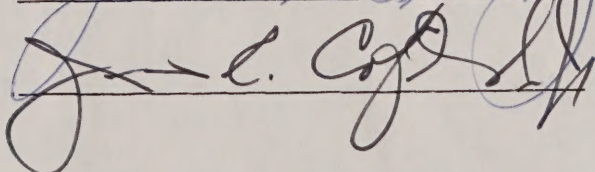
AND FURTHER ORDERED that in accordance with the provisions of the said c. 79, as amended, awards are made by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in "Annex A" and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in "Annex B", which Annex B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority causes this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

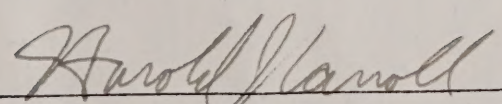
IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: JUL 5 1979

BOSTON REDEVELOPMENT AUTHORITY



James G. Colbert



Approved as to Form:


Harold J. Carroll, Chief General Counsel 7790

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

DOWNTOWN WATERFRONT-FANEUIL HALL URBAN

RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is to be taken by this Order of

Taking:

Boston Redevelopment Authority Parcel E-8, containing approximately 51,027 square feet of land, shown on a Plan entitled, "Boston Redevelopment Authority, Downtown Waterfront Faneuil Hall Project, Mass. R-77, Boston Suffolk County, Massachusetts, Property Acquisition Plan, Parcel E-8, dated July 22, 1977," prepared by Schoenfeld Associates, Inc., Consulting Engineers, Boston, Mass., and is bounded and described as follows:

Beginning at a point ninety-six (96) feet plus or minus in a northwesterly direction from the northeast corner of a brick building located between former North Market Street and Clinton Street, said point being the point of tangency of a curve having a radius of thirty-four and eighteen hundredths (34.18) feet;

Thence along a line having a bearing of S82°-25'-17"W for a distance of three hundred eighty-five and sixty-two hundredths (385.62) feet to a point of curvature;

Thence along a curve having a radius of thirteen and seventy-nine hundredths (13.79) feet for a distance of thirty-one and thirty-nine hundredths (31.39) feet, to a point of tangency. The above line being a portion of the northerly street line of Clinton Street, at the intersection of North Street;

Thence along a line having a bearing of N32°-53'-22"E for a distance of one hundred ninety-seven and eleven hundredths (197.11) feet, to a point of curvature. The above line being a portion of the southerly street line of North Street;

Thence along a curve having a radius of one hundred sixteen and zero hundredths (116.00) feet in a southeasterly direction, a distance of eighty-three and thirty-five hundredths (83.35) feet to a point;

Thence turning and running along a line having a bearing of S54°-59'-00"E for a distance of two hundred ninety-nine and forty-five hundredths (299.45) feet to a point on a curvature having a radius of thirty-four and eighteen hundredths (34.18) feet;

Thence along said curve in a westerly direction for a distance of twenty-six and eleven hundredths (26.11) feet to the point of beginning, said parcel of land located in Boston proper, Suffolk County, Massachusetts, containing a total of fifty-one thousand twenty-seven (51,027) square feet or 1.17 acres

The above-described parcel includes a proposed "Open Area" of six thousand fifty-seven (6,057) square feet at the southwesterly portion of the parcel.

OPEN AREA

Starting at a point two hundred sixty-three and twenty-six hundredths (263.26) feet from the point of beginning of the complete parcel described before within these metes and bounds.

Thence along a line having a bearing of S82°-25'-17"W for a distance of one hundred twenty-two and thirty-six hundredths (122.36) feet to a point of curvature of a curve having a radius of thirteen and seventy-nine hundredths (13.79) feet;

Thence along said curve for a distance of thirty-one and thirty-nine hundredths (31.39) feet to a point of tangency;

Thence along a line having a bearing of N32°-53'-22"E for a distance of seventy-eight and twelve hundredths (78.12) feet;

All the above three courses being a portion of the property lines described earlier in these metes and bounds;

Thence along a line having a bearing of S52°-34'-43"E for a distance of one hundred sixteen and seventeen hundredths (116.17) feet to the starting point.

There is included within said parcel a certain portion of registered land as described in the following Certificate of Title 35521 - LC 15758^A.

Land Court

The owner of the parcel hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

DOWNTOWN WATERFRONT-FANEUIL HALL URBAN

RENEWAL AREA

AWARD OF DAMAGES

No Awards are made with this Order of Taking.